

City of San Diego Vernal Pool Habitat Conservation Plan (HCP)

Community Workshop

March 15, 2012

5:30 p.m. – 7:30 p.m.

Mission Trails Regional Park Visitor Center
One Father Junipero Serra Trail
San Diego, CA 92119

SUMMARY

Staff and Consultant team present:

David, Zoutendyk, U.S. Fish and Wildlife Service
Randy Rodriguez, California Department of Fish and Game
Cathy Winterrowd, City of San Diego
Jeanne Krosch, City of San Diego
Craig Hooker, City of San Diego
Keith Greer, SANDAG Service Bureau
Cheryl Mason, SANDAG Service Bureau
Katie Levy, SANDAG Service Bureau
Catherine Harris, SANDAG Service Bureau

BACKGROUND

The Vernal Pool Habitat Conservation Plan (HCP) is envisioned as a comprehensive planning approach to preserve vernal pool species and their habitat within the City of San Diego's jurisdiction. The HCP will create a new preserve boundary and updated conditions of coverage for seven focal species including San Diego and Riverside fairy shrimp, San Diego button celery, spreading navarretia, California orcutt grass, San Diego mesa mint and Otay mesa mint. Funding for the project has been provided through a grant by the U.S. Fish and Wildlife Service administered through the California Department of Fish and Game. The workshop provided an opportunity to update the public on the HCP progress to date and next steps.

PROGRAM

The program was divided into two parts. The first part was a PowerPoint presented by Cathy Winterrowd, Principal Planner, City of San Diego and Keith Greer, Senior Regional Planner, SANDAG Service Bureau. (The Service Bureau is providing consulting expertise in the creation of the Draft Vernal Pool HCP.) The second part was a question and answer segment facilitated by David Zoutendyk, Division Chief, U.S. Fish and Wildlife Service. Highlights from both parts are summarized below.

PART ONE: PRESENTATION

Welcome and Planning Agreement

Ms. Winterrowd welcomed the public to the second public community workshop and reviewed the background Goals and Objectives in the Planning Agreement for the HCP.

Status of Vernal Pool HCP

Mr. Greer reviewed the eight vernal pool focal species included in the Planning Agreement, noting that little mousetail (*myosurus minimus*) was removed from the HCP as there are taxonomical issues that would make the species difficult to cover. The seven vernal pool focal species that will be covered under the HCP are as follows:

- Otay Mesa mint (*Pogogyne nudiuscula*)
- San Diego Mesa mint (*Pogogyne abramsii*)
- Spreading navarretia (*Navarretia fossalis*)
- San Diego button-celery (*Eryngium aristulatum* var. *parishii*)
- California Orcutt grass (*Orcuttia californica*)
- Riverside fairy shrimp (*Streptocephalus wootoni*)
- San Diego fairy shrimp (*Branchinecta sandiegonensis*)

Mr. Greer explained that the Draft HCP will be prepared largely based on information contained in eight Technical White Papers (TWPs). TWPs 1 through 7 are being prepared by subconsultant AECOM. In addition, six scientific reviewers were hired to provide independent written comments on TWPs 1-7. Mr. Greer stated that scientific reviewers were selected to review specific TWPs based on their expertise in that vernal pool subject. He noted that TWP 8: Draft Preserve Management Funding Mechanisms would be prepared by SANDAG Service Bureau and that a team of financial experts rather than scientific reviewers were consulted to help develop options to fund the Vernal Pool HCP. The TWPs and scientific reviewers assigned are:

| Technical White Paper Descriptions and Scientific Reviewer Assignments | | |
|--|--|-----------------------------------|
| TWP 1 | Draft analysis and number and distribution of vernal pools and seven focal species | Ellen T. Bauder, Ph.D. |
| | | Marie Simovich, Ph.D. |
| TWP 2 | Draft assessment of conservation of seven focal species | Ellen T. Bauder, Ph.D. |
| | | Marie Simovich, Ph.D. |
| TWP 3 & TWP 4 | Draft development of adaptive management and monitoring strategy | Mark Doderer, M.S. |
| | | Andrew J. Bohonak, Ph.D. |
| TWP 5 | Draft Property Analysis Record (PAR) | Christina M. Schaefer, MLA, M.Sc. |
| TWP 6 | Draft recommendations for conditions of coverage | Andrew J. Bohonak, Ph.D. |
| | | Paul Fromer, M.S. |
| TWP 7 | Draft conservation analysis of Draft HCP | Andrew J. Bohonak, Ph.D. |
| | | Paul Fromer, M.S. |
| TWP 8 | Draft Preserve Management Funding Mechanisms | N/A |

Milestones to date include the Kickoff Public Workshop in January 2011, the City's Scoping Public Workshop for the Environmental Impact Report in December 2011, and tonight's public workshop.

Another major milestone completed thus far is the creation of the Vernal Pool HCP Preserve geodatabase. Building upon the data from the City's 2003 Vernal Pool Inventory (2,613 basins recorded), SANDAG Service Bureau created a geodatabase that included all known digital data from the City, USFWS, AECOM and others for updated information on vernal distribution and focal species' locations. Hard copies of project plans were also scanned and added to the geodatabase. The 2012 geodatabase accounts for 3,137 basins in the City of San Diego with an accuracy point of less than 1 meter and includes attributes such as vernal pool species present and source of data.

Mr. Greer explained the layers of the geodatabase include the Vernal Pool HCP Planning Area and three Alternative Preserves for the HCP. The Vernal Pool HCP Planning Area encompasses the existing MSCP Preserve (MHPA) including the cornerstone lands, existing conserved lands, and property which the City has land use jurisdiction over. There are a total of 7,960 vernal pools within the Vernal Pool HCP Planning Area, of which 4,823 vernal pools are located on Miramar MCAS. These vernal pools are outside of the City's jurisdiction and therefore would not be covered by the HCP. Moreover, the GIS information for Miramar MCAS cannot be released to the public as it is confidential and owned by the military. Of the 7,960 vernal pools in the Planning Area, 2,329 vernal pools are subject to City's land use regulations and would be covered under the Vernal Pool HCP. The remaining 808 vernal pools are located on lands that are not subject to the City's land use regulations (i.e., state, federal, school district lands) and would not be covered by the HCP.

Three Alternative Preserves are proposed for the HCP:

- Alternative 1: Existing City MSCP Preserve including the cornerstone lands and existing conserved lands with increased management of vernal pools
- Alternative 2: Alternative 1 plus additional land to increase vernal pool conservation
- Alternative 3: Alternative 2 plus additional land to increase vernal pool conservation and preservation of critical habitat

Alternative 2 is the Proposed Project for the HCP. Alternative 1 is considered the Baseline Alternative and Alternative 3 is the Expanded Conservation Alternative. In addition, Mr. Greer noted that within the project EIR/EIS a No Project alternative would be included.

Next Steps

Upcoming milestones and steps for the HCP include:

- Property Owners Meeting: North, Central and South (Spring 2012)
- Completion of TWPs 1-6 and 8 and Scientific Review (August 2012)
- Public Workshop on TWPs 1-6 and 8 (August 2012)
- Draft VP HCP and Draft EIR/EIS for Minimum 60 Day Public (February 2013)
- Land Use & Housing Workshop (April 2013)
- Final Draft VP HCP and Final EIR/EIS; Begin Hearing Process (July 2013)

Mr. Greer noted that SANDAG Service Bureau staff will summarize the comments received and the City will post the summary, PowerPoint, and HCP Preserve Boundary and Alternative maps to the City's Web page at www.sandiego.gov/planning/mscp for public review and comment. The City's goal is to generate a broad base of local interest and involvement throughout the HCP process.

Individuals who attended the March 15th workshop will be added to the Vernal Pool HCP email list. Notification will be emailed to this list when new information and other announcements are posted to the Web page. The project manager, Jeanne Krosch, can be contacted at (619) 236-7225 or jkrosch@sandiego.gov.

PART TWO: QUESTIONS AND ANSWERS

Mr. Zoutendyk facilitated questions from the public. Responding to the public were Jeanne Krosch, Senior Planner, City of San Diego; Randy Rodriguez, Staff Environmental Scientist, Department of Fish and Game; Mr. Zoutendyk, and Mr. Greer.

Questions asked by the public included:

- Q: For all the vernal pools in the HCP 2012 geodatabase, will there be any additional fieldwork conducted or new information added? Who will develop the EIR?
- A: Ms. Krosch explained that the EIR will be developed by the City in-house and no additional formal surveys or fieldwork will be conducted as part of the HCP process. All the technical data that the City has, including the 2003 Vernal Pool Inventory data and biological analysis from various projects as well as input from the City Park and Recreation staff were included in the geodatabase. Mr. Zoutendyk added the vernal pool geodatabase includes a compilation of years of fieldwork and observation by staff from all of the agencies. At the January 2011 Public Workshop, maps of the existing vernal pools were provided and a request was made to the public to provide information on any other vernal pools locations not shown on the maps. Subsequently, the Service Bureau worked with members of the public who had knowledge of additional vernal sites and obtained the source data which has also been incorporated into the HCP geodatabase. Mr. Greer feels confident that the inventory and geodatabase are accurate. Moreover, the Agency Staff met and provided collective knowledge and input on complex specific threats, conditions, and status for all the vernal pool complexes

in the HCP. This information will be incorporated into the HCP Vernal Pool Management and Monitoring Plan.

Q: Alternative 1 includes the existing MSCP Preserve, but there are impacts that have occurred since conservation. Will the costs of impacts to areas such as Del Mar Mesa be included?

A: Mr. Greer responded that the TWPs include complex condition levels and costs associated with conservation, management, and monitoring of the complex. Mr. Zoutendyk added this information includes what the complex currently requires as well as what is needed in perpetuity.

Comment: There are some areas adjacent to the HCP which are owned by other entities, but are preserved. The maps should show where these preserved lands are in order to reflect the HCP is connected to a larger area of conservation.

Q: Will HCP include measures such as fencing which affects federal enforcement in areas such as the airport in Otay Mesa, Otay Mesa, and specifically Wruck Canyon?

A: Mr. Zoutendyk stated that management for threats such as federal enforcement were identified and that some areas will be addressed through fencing. Mr. Greer commented that there are multiple threats that need to be managed in the area such as off-road vehicles in addition to border patrol impacts.

Q: How and when will the geodatabase be available for public access?

A: Mr. Greer stated that the geodatabase is complex and requires specific software, knowledge and technical skills to access it. The conservation analysis of the HCP will be based upon the geodatabase and all the information will be provided in the TWPs.

Comment: Working groups were created for the City's MSCP, but the public was not included in a similar forum to provide input on the alternative boundaries drawn for the HCP. The public should be included as a partner for the TWPs process. The TWPs should be available for public review as each TWP is completed to allow the public to make informal comments and to provide other vernal pool experts time to review and comment. There are people that would like to read the TWPs and a draft of TWP 1 should be available by now.

Response: Mr. Greer acknowledged the importance of public participation throughout the HCP process and that the public will be provided the TWPs and Scientific Reviewers' comments for review. However, at this time the draft documents are not ready for public review. Ms. Krosch added that it is easier to see the full extent of the analysis if the TWPs are presented to the public in a single, packaged format. The public workshop on TWPs

has been postponed until August 2012 in order to provide more time for completion of the TWPs, including the scientific reviewers' comments. Mr. Zoutendyk stated that the public will have the opportunity to comment on the TWPs, but it is important to finalize the draft documents before they are provided to the public for review.

Q: While the HCP is being developed, how is the City analyzing and approving projects? For example there is a parcel that is currently zoned as open space and a developer is requesting this be changed to industrial in order to build a power plant.

A: Mr. Greer stated that there will be provisions for development within the HCP Preserve to allow for reasonable use. These provisions will be specifically identified in the public review draft of the HCP. Prior to the HCP adoption, City will continue to process impacts to vernal pools under the MSCP and biological provisions of the Environmental Sensitive Land division of the Municipal Code. Mr. Zoutendyk added that the USFWS would have issues with any impacts to the existing MSCP preserve but there are measures in place to prevent impacts or gutting of the preserve. However, there are provisions within MSCP for certain allowances. Ms. Krosch responded that she is aware of the project being referenced and would be available to discuss following the Q & A session.

Comment: The geodatabase should be released to the public as KMZ files through Google Earth software.

Q: Are impacts allowed to all other species outside the focal species covered under the HCP? Why was little mousetail removed as a focal species from the HCP?

A: Mr. Zoutendyk responded that there were taxonomical issues for little mousetail which make it difficult to cover this species. Moreover, the seven focal species represent the range of vernal pool habitat in the region. Mr. Greer added that the HCP will address the basins and seven focal species. While there was a comment at the January 2011 Public Workshop to cover more than the current vernal pool focal species, the scope of the Planning Agreement and what is being analyzed for the HCP are the seven focal species reviewed in the presentation.

Q: Will information both inside and outside the Vernal Pool HCP Preserve be made available? Also, will there be side-by-side comparison made of all the alternatives?

A: Ms. Krosch stated that the analysis will include a discussion of vernal pools inside and outside the preserve within the HCP planning area. Mr. Greer commented that the conservation analysis will address all the alternatives and the Vernal Pool Recovery Plan.

Comment: There are 85 species covered in the City's existing MSCP preserve. There are two species, spadefoot toad and western garden snake, which are close

to the seven focal species and should be considered for inclusion within the HCP.

Comment: Under the HCP, the City should contribute to recovery, and therefore ensure that every species within the Vernal Pool Recovery Plan is covered. There should be a comparison included for all three Alternatives that would show the basins and species listed in the Vernal Pool Recovery Plan Appendices F: Vernal Pool Complexes Within Management Areas Identified as Necessary to Stabilize the Proposed and Listed Vernal Pool Species and G: Vernal Pool Complexes Within Management Areas Identified as Necessary to Reclassify the Proposed Listed Vernal Pool Species, and how they are to be treated under the HCP.

Q: Will the HCP include an educational trail component?

A: Mr. Greer responded that the covered activities section in the HCP will include recreation and conditions under which these activities will be allowed. This information will be provided in the draft HCP (covered activities) which will be released for public review in February 2013.

Q: Have other HCPs been developed in California and are they being used as a reference?

A: Mr. Greer commented that HCPs are not new to the San Diego region, but an HCP for vernal pool resources is new. A few vernal pool HCPs have been developed for other regions in California (e.g., South Sacramento), however, what people think has or has not worked in previous HCPs is subjective. Mr. Greer noted that there was a significant amount of information on vernal pools in the San Diego region which is being incorporated into the development of this HCP.

Q: Can property owners request data for specific complexes on source information?

A: Ms. Krosch responded that the geodatabase includes information on which species are present on each property and the source the data. This information can be provided at the request of property owners.

Q: When will the meetings with property owners occur?

A: Ms. Krosch stated these meetings will be held during spring 2012.

Additional Verbal Comments Received Following Q & A

- There should be a workshop specifically on the HCP and EIR/EIS outside the Land Use and Housing meeting. The Land Use and Housing meeting does not allow the public to ask questions.

- The Vernal Pool HCP should remove all lands owned by MCAS Miramar (specifically the land leased by the City on the SANDER Parcel).
- The conservation analysis should have some type of quantitative risk assessment for each of the covered species (probably of species extirpation based on the Vernal Pool HCP).